



MINUTES OF: LEBANON CITY COUNCIL

Date: APRIL 26, 2011

Council of the City of Lebanon met in regular session on April 26, 2011 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Heitkamp, Cole, Monroe, Rodriguez, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, City Attorney, Mark Yurick, Deputy City Manager, Scott Brunka and City Auditor, Sharee' Dick.

Motion to excuse Mr. Norris from tonight's meeting was made by Mrs. Flick seconded by Mr. Rodriguez. Mayor Brewer asked for a show of hands, all were in favor.

The invocation was given by Father Bernard Weldishofer. Mayor Brewer asked everyone to remain standing for the Pledge of Allegiance.

At this time Mayor Brewer asked for consideration of Council minutes for the April 12th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Heitkamp seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor. Motion to adopt the April 18th work session minutes was made by Mrs. Flick seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Mayor Brewer read a proclamation for Arbor Day and presented it to the Shade Tree Commission. Hewett Mulford explained the Lebanon Beautification program and encouraged everyone to participate. Mickie Marquis introduced the Arbor Day poster contest winners from Lebanon Christian School, grades 1-5.

Mayor Brewer read and presented a Certificate of Appreciation to Miya Moore. Her mother explained that Miya had wanted to raise money for the people of Japan and had come up with the idea of creating blue wrist bands with the word Gaman, which translates to patience and perseverance in Japanese. These wrist bands are available for a donation of \$2.00. The proceeds and pictures of people wearing the wrist bands will be sent to Japan in support of the people who have suffered such devastation. They thanked everyone for their support.

**Ordinance No. 2011-027** An Ordinance authorizing the City Manager to execute a Lease Addenda for use of office space in the Sams House was read in title only by the City Attorney. This legislation will approve 2-year lease agreements for use of office space in Sams House in Colonial Park West with the Optimist Club, Rotary Club, and Lions Club. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-027 was made by Dr. Monroe seconded by Mr. Heitkamp. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-033** An Ordinance enacting Section 503.07 of the Codified Ordinances; an Ordinance prohibiting presence, loitering or prowling at certain locations was read in title only by the City Attorney. This legislation will enact Section 503.07 of the Codified Ordinances preventing registered sex offenders from loitering within 300 feet of parks, playgrounds, the YMCA and similar areas where children regularly congregate. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-033 was made by Mrs. Flick seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-034** An Ordinance authorizing the City Manager to execute an agreement with Barrett Paving Materials Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Barrett Paving Materials Inc. to perform the 2011 Street Resurfacing Program, in the amount of \$541,347.80. Under this contract, Miller Road from Broadway to Drake, Mound Street, and Henkle Dr. will be resurfaced. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-034 was made by Mrs. Flick seconded by Mr. Heitkamp. Roll call vote to adopt was unanimous in favor.

**Resolution No. 2011-035** A Resolution authorizing the City Manager to apply for an OEPA Section 319(h) Nonpoint Source Project Grant Application to construct improvements to Miller Park was read in title only by the City Attorney. This legislation will approve an \$80,000 grant application to OEPA to support the construction of a parking area, access drive and community rain garden in Miller Park in accordance with the adopted Parks Master Plan. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2011-035 was made by Mr. Cole seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-036** An Ordinance to approve the record plan for the final plat of the St. Francis DeSales Subdivision, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the final plat of the St. Francis DeSales Subdivision, as recommended by the Planning Commission. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-036 was made by Mr. Rodriguez seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-037** An Ordinance authorizing the City Manager to execute an Economic Development agreement with Mane, Inc. and declaring an emergency was read in title only by the City Attorney. This legislation will approve an Economic Development Agreement with Mane, Inc. to provide electric tax credits, and approve an amendment to Mane's October 2007 Enterprise Zone Agreement. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-037 was made by Dr. Monroe seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-038** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve additional appropriation in the Water Fund in the amount of \$1,800 to support refund reimbursements. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-038 was made by Mr. Heitkamp seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-039** An Ordinance authorizing the City Manager to execute Renewal Agreements with Lebanon Citizens National Bank, Fifth Third Bank, Sutton Bank, and Huntington National Bank for deposit of Active Funds was read in title only by the City Attorney. This legislation will approve renewal agreements for deposit of active funds with Lebanon citizens National Bank, Fifth Third Bank, Sutton Bank, and Huntington National Bank. Mr. Cole seconded by Dr. Monroe made motion for this legislation to receive a first reading.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised that the next work session of Council would be May 2nd, changed from May 3rd and that it would also begin at 6:00 with Council's Goal Setting meeting. The next regular Council meeting would be May 10th at 7:00.

Mayor Brewer asked for a motion on the Liquor License request for Big Lots at 726 E. Main Street. Dr. Monroe seconded by Mrs. Flick made motion to not request a hearing. Mayor Brewer asked for a show of hands, all were in favor.

Dr. Monroe stated that this evenings meeting with all the recognition of visitors was wonderful.

Mr. Rodriguez said that it was great to see Mane, Inc. and St. Francis DeSales expanding.

Mrs. Flick thanked the Shade Tree Commission for their hard work in the community.

Mayor Brewer asked everyone to bring in visitors for recognition.

There being no further business to come before this Council, motion to adjourn the meeting was made by Dr. Monroe seconded by Mr. Rodriguez. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 7:35 p.m.

Passed:

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Mayor

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Clerk